

REMARKS

Claims 8-23 are pending in this application. Claims 8 and 20 are independent. In light of the remarks made herein, Applicant respectfully requests reconsideration and withdrawal of the outstanding rejections.

In the outstanding Official Action, the Examiner rejected claims 8-10, 12 and 16-23 under 35 U.S.C. §103(a) as being unpatentable over *Umezawa et al.* (USP 5,491,507) in view of *Fumio et al.* (USP 6,515,705); rejected claim 11 under 35 U.S.C. §103(a) as being unpatentable over *Umezawa et al.* in view of *Fumio et al.* and further in view of *Oeda et al.* (U.S. Patent Application Publication No. 2001/0012071); rejected claim 13 under 35 U.S.C. §103(a) as being unpatentable over *Umezawa et al.* in view of *Fumio et al.* and further in view of *Tanaka et al.* (U.S. Patent Application Publication No. 2002/0191096); and rejected claims 14-15 under 35 U.S.C. §103(a) as being unpatentable over *Umezawa et al.* in view of *Fumio et al.* and *Tanaka et al.* and further in view of *Kiyokawa* (USP 6,204,877). Applicant respectfully traverses these rejections.

Preliminary Comments

This Reply is being filed concurrently with a Request for Interview. The Examiner is respectfully requested to contact the Examiner to conduct an Interview with Applicant prior to any formal consideration of the remarks herein on the record.

Rejections Under 35 U.S.C. § 103 - *Umezawa et al./Fumio et al.*

In the outstanding Official Action, with regard to claim 8, the Examiner maintains his position that the combination of the cited references renders the pending claims obvious. In Applicant's previously filed reply, Applicant argued that the Examiner had failed to provide sufficient motivation as to why one skilled in the art would modify *Umezawa et al.* to provide for an automatic lens cover since *Umezawa et al.* discloses indent 25 to protect the lens. In response to Applicant's arguments, the Examiner asserts that *Umezawa et al.* does not explicitly state that

the indent 25 is a lens cover to completely cover the surface of the camera lens portion 24. Applicant respectfully disagrees with the Examiner's characterization of this reference.

At col. 7, line 66 through col. 8, line 5, *Umezawa et al.* clearly describes that the lens portion, when in the storage state with indent 25, can be protected from water drops and dust. As such, Applicant respectfully submits that the Examiner has failed to provide proper motivation as to why one skilled in the art would be motivated to modify *Umezawa et al.* as suggested when the resultant functionality is already achieved by the disclosure of *Umezawa et al.*

In addition, Applicant argued that the cited references fail to teach or suggest prohibiting the electronic device from performing functions related to the camera whenever the first mode is set by the mode setting device. Specifically, at col. 11, lines 16-20, *Umezawa et al.* discloses that when the equipment is set in video telephone mode, the equipment can assume the same attitude as the case of the telephone conversation mode. In response to the argument, the Examiner merely cites to col. 11, lines 17-20 without addressing the fact that this citation refers to the video telephone mode, and not the voice conversation mode. As such, Applicant maintains that the cited references, either alone or in combination, fail to teach or suggest prohibiting the electronic device from performing functions related to the camera whenever the first mode is set by the mode setting device, as recited in the claims.

For all the reasons set forth above, it is respectfully submitted that the Examiner has failed to establish *prima facie* obviousness by failing to provide references that teach or suggest all of the claimed elements and further by failing to provide sufficient motivation. Finally, the purported combination asserted by the Examiner would render the device of *Umezawa et al.* inoperable for its intended purpose. For all these reasons, Applicant respectfully submits that claim 8 is not obvious over *Umezawa et al.* in view of *Fumio et al.* It is respectfully requested that the outstanding rejection be withdrawn.

It is respectfully submitted that claims 9-19 are allowable for the reasons set forth above with regard to claim 8 at least based upon their dependency on claim 8. It is further respectfully

submitted that claim 20 includes elements similar to those discussed above with regard to claim 8 and thus claim 20, together with claims dependent thereon, is not obvious for the reasons set forth above with regard to claim 8.

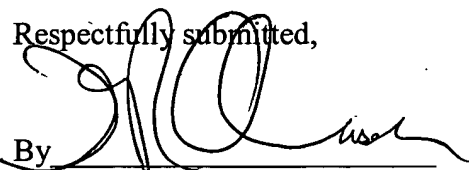
Conclusion

In view of the above amendment, Applicant believes the pending application is in condition for allowance.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Catherine M. Voisinet (Reg. No. 52,327) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.14; particularly, extension of time fees.

Dated: November 16, 2006

Respectfully submitted,

By
D. Richard Anderson
Registration No.: 40,439
BIRCH, STEWART, KOLASCH & BIRCH, LLP
8110 Gatehouse Road
Suite 100 East
P.O. Box 747
Falls Church, Virginia 22040-0747
(703) 205-8000
Attorney for Applicant